

REMARKS

The Notice of Non-Compliant Amendment mailed on May 30, 2008 noted that the designation of claims 7-9 caused the amendment to be non-compliant. Applicant has corrected the designation and re-submits herewith the response to the previous Office Action.

The Final Office Action mailed December 21, 2007 considered claims 1-11 and 14-23. Claims 1-11, 21 and 23 were rejected under 35 U.S.C. 102(b) as being anticipated by Parker et al. (US 5,600,789) hereinafter *Parker*. Claims 14-20 and 22 were rejected under 35 U.S.C. 103(a) as being unpatentable over Cordero et al. (US 2001/0044339) hereinafter *Cordero* in view of *Parker*.¹

By this paper, claims 1, 4, 20, 21, and 23 have been amended, and claims 6-9 have been cancelled, such that claims 1-5, 7-11, and 14-23 remain pending in the application.

The application is generally directed to allowing for efficient testing of different interfaces intended to be used with an application program. In claims 1 and 21 this is accomplished by identifying an application program interface (API) that is common to each of the interfaces and performing testing on the common API as a representative test for all of the interfaces. A representation of a first value is provided, through a test program, to the application program through the common API. If an expected result is returned, a determination can be made that all of the different interfaces are interoperable with the application program. Claim 1, as now amended further recites that another common API is identified and that the test program written for the first API is recompiled to function with the another common API. Claim 21 further recites that another common API is identified and that an API call for the first API is converted to a call for the second API. Support for these limitations can be found at paragraph [0036] of Applicant's disclosure. This allows testing to be performed without the need to write test programs from scratch.

¹ Although the prior art status of the cited art is not being challenged at this time, Applicant reserves the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

Similarly, claims 14 and 22 allow for efficient testing of different interfaces by sending a value for each of the different interfaces using a common API. Results are received as a result, and these results are compared to identify an expected result.

Rejection Under 35 U.S.C. 102(b) of claims 1 and 21 over *Parker*

The Office Action appears to be interpreting *Parker* in a manner equating the GUI specific instantiations to the plurality of interfaces recited by the claims, the logical application of *Parker* to the application program recited by the claims, and the GUI superclass to the API recited by the claims. See Office Action at page 9. Assuming arguendo that this interpretation of *Parker* is correct, this interpretation does not teach the invention as now recited by the amended claims.

In particular, claim 1 recites, in substance, identifying a second API and converting a test program, by recompiling source code of the test program to function with the second API. The Office Action equates the test tool disclosed in *Parker* at col. 7, lines 13-30 with the test program. See Office Action at page 4 addressing claim 6. However, *Parker* only refers to compilation of the test program at two locations, col. 7, line 65 and col. 8, line 2. Neither of these references teaches recompiling a test program to work with a different API, as is now recited by the claims of the present application.

With respect to claim 21, claim 21 recites converting an API call for the first common API to an API call for the second common API. This does not appear to be taught by *Parker*. While *Parker* does teach at col. 8, lines 26-52 that commands from the test script are translated into actual GUI commands, under the Office Actions interpretation of *Parker*, this cannot be equated to the limitations as now recited by claim 21. In particular, if the superclass level of GUI is equated with the APIs recited by the claims and the lower level GUI's are equated to the interfaces recited by the claims, then translation of a test script directed to the superclass GUI to actual GUI commands (i.e. translation of API test scripts to interface commands) is not equivalent to converting one API call to another API call, as is recited by the claims of the present application.

Rejection Under 35 U.S.C. 103(b) of claims 14 and 22 over *Parker* in View of *Cordero*

Applicant continues to traverse the rejections to independent claims 14 and 22. Specifically, claims 14 and 22 are directed to "testing an application program through each of the

plurality of interfaces using a single testing program.....” This is accomplished by sending values through interfaces having a common API, receiving results corresponding to each of the interfaces, and comparing the results with each other to identify an expected result. While *Cordero* does teach at [0075] that a common API may be presented for all platforms, *Cordero* does not appear to teach sending a first value to the application program for *each* of the plurality of identified interfaces. The ability to test and compare depends on this value being sent to each of the interfaces. Without sending the same first value to each of the interfaces and receiving a result based on sending the first value, a meaningful comparison cannot be performed. Further, while *Cordero* does teach that the cross-platform core has been tested and integrated with a plurality of hardware platforms, *Cordero* provides little detail on the testing performed and does not teach that a first value is sent to each of the identified interfaces, as is recited by the claims of the present application.

While not necessary, Applicant would like to further argue the patentability of currently amended dependent claim 23. Dependent claim 23 recites “automatically identifying a plurality of isomorphisms of a value that are specific to one of the interfaces from among the identified plurality of interfaces; and testing the identified isomorphisms of the value such that different forms of one or more values may be tested” This claim was rejected in view of *Parker* at col. 6, Table 1 (see Office Action at 5), and *Parker* at column 29, lines 27-38. However, Table 1 appears only to show only a single form of a value for any given GUI, whereas in contrast the claims recite “identifying a plurality of isomorphisms for [an interface]”. This allows for multiple different isomorphisms to be tested for a single interface. This functionality cannot be accomplished by the systems taught by *Parker* at Table 1.

Further, the Office Action alternatively cites to col. 29, lines 27-38 for testing variants. However, rather than testing variants, this portion of *Parker* seems to suggest that when there are expected variants, they should be ignored. This seems to be the antithesis of actually testing the variants.

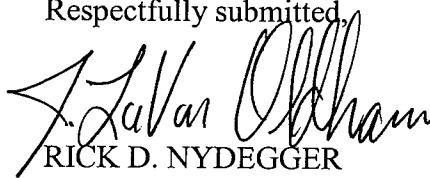
In view of the foregoing, Applicant respectfully submits that the other rejections to the claims are now moot and do not, therefore, need to be addressed individually at this time. It will be appreciated, however, that this should not be construed as Applicant acquiescing to any of the purported teachings or assertions made in the last action regarding the cited art or the pending application, including any official notice. Instead, Applicant reserves the right to challenge any

of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise. Furthermore, to the extent that the Examiner has relied on any Official Notice, explicitly or implicitly, Applicant specifically requests that the Examiner provide references supporting the teachings officially noticed, as well as the required motivation or suggestion to combine the relied upon notice with the other art of record.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at 801-533-9800.

Dated this 30th day of June, 2008.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Rick D. Nydegger", is written over the typed name.

RICK D. NYDEGGER

Registration No. 28,651

J. LAVAR OLDHAM

Registration No. 53,409

Attorneys for Applicant

Customer No. 47973

RDN:JLO:crb
1825261_1